

19880321

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

MONDAY, MARCH 21, 1988

AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:04 p.m. The meeting was recessed by Mayor O'Connor at 6:14 p.m. The meeting was reconvened by Mayor O'Connor at 6:19 p.m. with Council Members Roberts, Pratt and Struiksma not present. Mayor O'Connor adjourned the meeting at 7:28 p.m. into closed session at 9:30 a.m. on Tuesday, March 22, 1988 to discuss pending litigation with the City Attorney's Office and Meet and Confer issues with the City's Management Team.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-excused by R-270629
(attended NLC Conference)
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour;Fishkin (tm)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-not present
- (5) Council Member Struiksma-not present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-10: INVOCATION

Invocation was given by Reverend Eugene Holtz of the
Clairemont Lutheran Church (ELCA).

FILE LOCATION: MINUTES

Mar-21-1988

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Roberts.

FILE LOCATION: MINUTES

ITEM-30: ACCEPTED PRESENTATION

A presentation by the Super Bowl Task Force.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A047-315.)

MOTION BY STRUIKSMA TO ACCEPT THE PRESENTATION. Second by
Roberts. Passed by the following vote: Wolfsheimer-yea,
Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-31:

Sixteen actions relative to the Automotive Industry's
support for Proposition A:

Subitem-A: (R-88-1722) ADOPTED AS RESOLUTION R-270540

Expressing deep appreciation to Cush Enterprises for their
invaluable contribution on behalf of public transportation
in San Diego County.

Subitem-B: (R-88-1723) ADOPTED AS RESOLUTION R-270541

Expressing deep appreciation to Drew Ford for their
invaluable contribution on behalf of public transportation
in San Diego County.

Subitem-C: (R-88-1724) ADOPTED AS RESOLUTION R-270542

Expressing deep appreciation to University Ford for their
invaluable contribution on behalf of public transportation
in San Diego County.

Subitem-D: (R-88-1725) ADOPTED AS RESOLUTION R-270543

Expressing deep appreciation to Conway Subaru/Jaguar for

their invaluable contribution on behalf of public transportation in San Diego County.

Subitem-E: (R-88-1726) ADOPTED AS RESOLUTION R-270544
Expressing deep appreciation to Homer Heller Ford for their invaluable contribution on behalf of public transportation in San Diego County.

Subitem-F: (R-88-1727) ADOPTED AS RESOLUTION R-270545
Expressing deep appreciation to Kearny Mesa Dodge for their invaluable contribution on behalf of public transportation in San Diego County.

Subitem-G: (R-88-1728) ADOPTED AS RESOLUTION R-270546
Expressing deep appreciation to Quality Chevrolet for their invaluable contribution on behalf of public transportation in San Diego County.

Subitem-H: (R-88-1729) ADOPTED AS RESOLUTION R-270547
Expressing deep appreciation to Sunroad Enterprises for their invaluable contribution on behalf of public transportation in San Diego County.

Subitem-I: (R-88-1730) ADOPTED AS RESOLUTION R-270548
Expressing deep appreciation to San Diego Volvo for their invaluable contribution on behalf of public transportation in San Diego County.

Subitem-J: (R-88-1731) ADOPTED AS RESOLUTION R-270549
Expressing deep appreciation to Murray Buick for their invaluable contribution on behalf of public transportation in San Diego County.

Subitem-K: (R-88-1732) ADOPTED AS RESOLUTION R-270550
Expressing deep appreciation to Young Pontiac for their invaluable contribution on behalf of public transportation in San Diego County.

Subitem-L: (R-88-1733) ADOPTED AS RESOLUTION R-270551
Expressing deep appreciation to Mike Smith Honda for their invaluable contribution on behalf of public transportation in San Diego County.

Subitem-M: (R-88-1734) ADOPTED AS RESOLUTION R-270552
Expressing deep appreciation to John Hine Pontiac/Mazda for

their invaluable contribution on behalf of public transportation in San Diego County.

Subitem-N: (R-88-1735) ADOPTED AS RESOLUTION R-270553

Expressing deep appreciation to Frank Motors for their invaluable contribution on behalf of public transportation in San Diego County.

Subitem-O: (R-88-1736) ADOPTED AS RESOLUTION R-270554

Expressing deep appreciation to Marvin K. Brown for their invaluable contribution on behalf of public transportation in San Diego County.

Subitem-P: (R-88-1737) ADOPTED AS RESOLUTION R-270555

Expressing deep appreciation to American International Enterprises for their invaluable contribution on behalf of public transportation in San Diego County.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A315-324.)

MOTION BY STRUIKSMA TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-32: PROCLAIMED

Proclaiming March 30, 1988 to be "Frankie Laine Day" in San Diego, and wishing him a Happy 75th Birthday.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A032-045.)

MOTION BY STRUIKSMA TO PROCLAIM. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Mar-21-1988

ITEM-33: APPROVED

Approval of Council Minutes for the Meetings of:

2/29/88

3/1/88

3/3/88 Special

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: F502-511.)

MOTION BY MCCOLL TO APPROVE THE MINUTES. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-34: DENIED HEARING

Matter of the request of Robinhood Homes, Inc., by Barry J. Ross, for a hearing of appeals from the decision of the Planning Commission in denying Planned Residential Development Permit and Tentative Map TM-86-0161 (Smythe Avenue Project), proposing to divide a 6.7 net acre site into four parcels and construct 128 multi-family dwelling units. The subject property is located on the east side of Antares Drive, north of Athey Avenue, west of Via de la Melodia and south of State Highway 117, in Zone A-1-10 (proposed R-1500), in the San Ysidro Community Plan area. The subject property is further described as a portion of Section 35, Township 18 South, Range 2 West, S.B.B.M. (PRD & TM-86-0161. District-8.)
A motion granting or denying the request for a hearing of the appeals.

FILE LOCATION: PERM PRD-86-0161

SUBD - Smythe Avenue Project

COUNCIL ACTION: (Tape location: A370-390.)

MOTION BY FILNER TO DENY THE REQUEST FOR A HEARING. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-50: (O-88-108) ADOPTED AS ORDINANCE O-17041 (New Series)

Amending Chapter III, Article 3, of the San Diego Municipal Code by amending Section 33.0106 relating to the Transition Provisions and Section 33.1550.3 relating to Closing Hours, by clarifying the applicability of transition provisions to police regulated businesses, specifically closing hours for public dances.
(Introduced on 3/7/88. Council voted 8-1. District 8 voted nay.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F533-549.)

CONSENT MOTION BY WOLFSHEIMER TO DISPENSE WITH THE READING AND ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not

present, Struiksma-not present, Henderson-yea, McCarty-yea,
Filner-nay, Mayor O'Connor-yea.

* ITEM-51:

Three actions relative to the Abatement and Cost Recovery
Program for Vacant-Unsecured Buildings and General Public
Nuisances Involved with Illegal Drug Trafficking:
(Introduced on 3/7/88. Council voted 8-0. District 5 not
present.)

Subitem-A: (O-88-142) ADOPTED AS ORDINANCE O-17042 (New
Series)

Amending Chapter V, Article 5, of the San Diego Municipal
Code by amending Section 55.11.412 relating to creating an
Administrative Abatement Procedure for Vacant and Unsecured
Structures.

Subitem-B: (O-88-141) ADOPTED AS ORDINANCE O-17043 (New
Series)

Amending Chapter I, of the San Diego Municipal Code by
amending Section 11.16 and adding Section 11.16.1 relating
to the Administrative and Summary Abatement of Public
Nuisances and Establishing the Nuisance Abatement
Superfund.

Subitem-C: (O-88-145) ADOPTED AS ORDINANCE O-17044 (New
Series)

Amending Chapter IX, Article 1, of the San Diego Municipal
Code by amending Section 91.02.0203 relating to Unsafe
Buildings or Structures.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F533-549.)

CONSENT MOTION BY WOLFSHEIMER TO DISPENSE WITH THE READING AND
ADOPT. Second by Roberts. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not
present, Struiksma-not present, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

* ITEM-52: (O-88-140 Rev.1) INTRODUCED, TO BE ADOPTED APRIL 4,
1988

Introduction of an Ordinance amending Chapter II, Article
2, Division 2, of the San Diego Municipal Code by amending
Section 22.0226 relating to the hiring of consultants.

(See City Manager Report CMR-88-72.)

COMMITTEE ACTION: Reviewed by RULES on 3/2/88. Recommendation to adopt the City Manager's recommendation. Directed that reference to "Consultant" be clarified as "Architect or Engineer" in the code amendment. Districts 1, 2, 7 and Mayor voted yea. District 3 not present.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: F549-619.)

CONSENT MOTION BY WOLFSHEIMER TO INTRODUCE. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

* ITEM-53: (O-88-131) INTRODUCED, TO BE ADOPTED APRIL 4, 1988

Introduction of an Ordinance amending Chapter VIII, Article 6, Division 20, of the San Diego Municipal Code by amending Sections 86.28 and 86.29 relating to post-storage hearings for impounded vehicles.

COMMITTEE ACTION: Reviewed by PSS on 3/3/88. Recommendation to adopt the City Manager's recommendation. Districts 2, 3, 4, 6 and 7 voted yea.

CITY MANAGER SUPPORTING INFORMATION: Section 22852 of the California Vehicle Code provides for the request for a post-impound hearing to be made in person, in writing or by telephone. The San Diego Municipal Code Sections 86.28 and 86.29 only provide for this hearing request to be made in writing. The City Attorney's Office has opined that the conflict between the Municipal Code and the Vehicle Code should be conformed to allow for the hearing request to be made other than in written form. The City's Risk Management Division presently conducts the administrative hearings in accordance with the Municipal Code and this amendment would serve to bring the notification procedure in compliance with the California Vehicle Code.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: F549-619.)

CONSENT MOTION BY WOLFSHEIMER TO INTRODUCE. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-100: (R-88-1538) CONTINUED TO APRIL 4, 1988

AT 2:00 P.M. TIME CERTAIN

Awarding contracts for furnishing and delivering gasoline and diesel fuel, as may be required for a period of one year beginning April 1, 1988 through March 31, 1989, for a total cost of \$2,161,000, with an option to renew the contracts for an additional one-year period, as follows: (BID-9469)

- 1) Cosby Oil Company, Inc. for Section I - Truck/Trailer Deliveries of Regular Unleaded Gasoline and Regular Leaded Gasoline; Section II - Truck/Trailer Deliveries of No. 2 Diesel Fuel.
- 2) San Diego Petroleum Corporation for Section III - Tank/Wagon Deliveries of Regular Unleaded Gasoline, Regular Leaded Gasoline and Premium Unleaded Gasoline, and Section V - No. 1 Diesel Fuel.

Authorizing the Purchasing Agent to purchase gasoline and diesel fuel on the open market if the regular suppliers are unable to deliver fuel in case of fuel shortages or for other reasons.

CITY MANAGER SUPPORTING INFORMATION: The apparent low bidder, Wright Companies, for Section I - Truck/Trailer Deliveries of Gasoline; Section II - Truck/Trailer Deliveries of No. 2 Diesel Fuel; Section III Tank/Wagon Deliveries of Leaded Regular Gasoline, Unleaded Regular Gasoline and Unleaded Premium Gasoline; and Section V - No. 1 Diesel Fuel, is not recommended for award as there were charges of deceptive labelling and misrepresentation of product made against the company. On December 9, 1987, the City's Consumer Fraud Division of the City Attorney's Office filed fifty-seven (57) misdemeanor counts against Wright Oil Co. and William P. Wright, the Chief Executive Officer of Wright Oil Co. The allegations are that there were octane and distillation violations made in dispensing of fuel at service stations owned by the Company. Mr. Wright pleaded no contest to ten (10) counts and was fined \$11,000.00 and given three (3) years probation. He admitted selling gasoline which failed to meet ASTM's specifications and to selling gasoline without disclosing the presence of alcohol in the product. There is a stipulation in the General Provisions of the bid specifications that a bidder must disclose any pending litigation against the company involving the product or services. The charges were filed on December 9, 1987, and the fuel bid did not open until February 3, 1988. The company was aware of the charges when the bid to the City was

submitted and failed to disclose the charges. As a result of this failure to disclose, the nature of the charges and the admission of the Chief Executive Officer, the Manager recommends rejecting the bid and awarding to the second low bidder. In addition, such charges would be grounds for debarment pursuant to San Diego Municipal Code 22.0514.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: G312-608.)

MOTION BY McCARTY TO CONTINUE TO APRIL 4, 1988 TIME CERTAIN DUE TO LACK OF TIME. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-not present, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-101: (R-88-1533) ADOPTED AS RESOLUTION R-270556

Awarding a contract to Hawthorne Machinery Co. for one Self-Loading Motor Scraper for lease with full maintenance (Alternate A - City Furnished Fuel), as may be required for a period of one year beginning May 1, 1988 through April 30, 1989 for an estimated cost of \$239,625, with options to renew the contract for up to four additional one-year periods at a cost of \$112.50 per hour of operation and options to buy and/or sell back to vendor, per prices on file in the Purchasing Department. (BID-9483)

FILE LOCATION: MEET CONFY88-1

COUNCIL ACTION: (Tape location: G204-312.)

CONSENT MOTION BY MCCOLL TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-102: (R-88-1540) ADOPTED AS RESOLUTION R-270557

Awarding contracts for furnishing photographic film and supplies, as may be required for a period of one year beginning March 1, 1988 through February 28, 1989, for a total cost of \$124,241.20, including tax, with an option to renew the contract for an additional one-year period, as follows: (BID-9499)

1. Gemstar Inc. for Schedule I - Kodak film and supplies, and Schedule II - Polaroid film (excluding Item No. 6, Spectra film);
 2. Nelson Photo Supplies for Schedule III - Flash bars;
- Authorizing the Purchasing Agent to readvertise for bids to

furnish Spectra film; authorizing the City Manager to award a contract to the low responsive bidder.

FILE LOCATION: MEET CONTFY88-2

COUNCIL ACTION: (Tape location: G204-312.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-103: (R-88-1537) ADOPTED AS RESOLUTION R-270558

Awarding a contract to American Glass/U.S. Auto Glass/Globe Glass for furnishing auto safety glass, as may be required for a period of one year beginning May 1, 1988 through April 30, 1989, for an estimated cost of \$55,000, with options to renew the contract for two additional one-year periods. (BID-9528)

FILE LOCATION: MEET CONTFY88-1

COUNCIL ACTION: (Tape location: G204-312.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-104: (R-88-1541) ADOPTED AS RESOLUTION R-270559

Awarding a contract to Eugene Carter Enterprises Inc., dba Environmental Maintenance Service Specialist, for complete janitorial maintenance of the Civic Center Comfort Station (Park and Recreation Department, Eastern Division), as may be required for a period of 12 months beginning April 15, 1988 through April 14, 1989, for a total estimated cost of \$44,881.46, including terms, with options to renew the contract for four additional one-year periods, with price escalation not to exceed 15 percent of prices in effect at the end of the prior year. (BID-9551)

FILE LOCATION: MEET CONTFY88-1

COUNCIL ACTION: (Tape location: G204-312.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-105: (R-88-1534) ADOPTED AS RESOLUTION R-270560

Awarding a contract to Hill Brothers Chemical Co. for furnishing the City of San Diego with approximately 100,000 lbs. of anhydrous ammonia and use of two ammonia tanks, as may be required for a period of one year beginning May 1, 1988 through April 30, 1989, for an estimated cost of \$28,000, including tax, with an option to renew the contract for an additional one-year period, at bid price of \$0.27 per lb. (BID-9517)

FILE LOCATION: MEET CONTFY88-1

COUNCIL ACTION: (Tape location: G204-312.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-106:

Two actions relative to Low Pressure Sodium Street Light Luminares, Lamps and Photocells:

Subitem-A: (R-88-1512) ADOPTED AS RESOLUTION R-270561

Awarding contracts for the purchase of Low Pressure Sodium Street Light Luminares, Lamps and Photocells, as may be required for a period of five months beginning March 1, 1988 through July 31, 1988, for a total cost of \$1,088,000, including tax and terms, with an option to renew the contracts for an additional one-year period; as follows:

1. Spaulding Lighting, Inc. for Items 1 and 3;
 2. Philips Lighting for Items 2, 4, 5, 6, and 7;
 3. Tri Electric Supply (TES) for Items 8 and 9;
- Authorizing the City Auditor and Comptroller to transfer \$200,000 from Capital Outlay Fund 30245, CIP-37-315.0, Conversion of Park and Recreation and Other Facility Outdoor Lighting to CIP-37-316.0, Street Light Conversion - High Pressure Sodium Vapor Luminaire Replacement; authorizing the City Auditor and Comptroller to transfer \$200,000 from Gas Tax Fund 30219 operating budget to CIP-37-316.0, Street Light Conversion - High Pressure Sodium Vapor Luminaire Replacement; authorizing the expenditure of not to exceed \$1,393,000 (\$1,193,000 from Gas Tax Fund 30219 and \$200,000 from Capital Outlay Fund 30245) from CIP-37-316.0, Street Light Conversion - High Pressure Sodium Vapor Luminaire Replacement, for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering

department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-9418)

Subitem-B: (R-88-1513) ADOPTED AS RESOLUTION R-270562

Authorizing the use of City Forces to do all the work to convert 9,306 high pressure sodium vapor street light fixtures to low pressure sodium vapor, as required in connection with Low Pressure Sodium Street Light Luminaires, Lamps and Photocells, pursuant to the recommendation of the City Manager and submission of estimates by him indicating that said work can be done by the City Forces more economically than if let by contract; declaring that the cost of said work shall not exceed \$233,000.

CITY MANAGER SUPPORTING INFORMATION: This project will convert 9,306 High Pressure Sodium Vapor street light fixtures to Low Pressure Sodium Vapor. The use of City Forces is recommended in order to save labor, engineering and inspection costs. It will also expedite conversion time. The remaining 1,700 lights will be converted on an incremental basis through an ongoing maintenance program. It is estimated that this project will begin in April of 1988 and will take about 12 months to complete.

Aud. Cert. 8800799.

FILE LOCATION: MEET CONTFY88-3

COUNCIL ACTION: (Tape location: G204-312.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-107: (R-88-1536) ADOPTED AS RESOLUTION R-270563
19880321

Inviting bids for the Replacement of Obsolete Traffic Signal Controllers at Various Locations City-Wide on Work Order No. 118761; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of an amount not to exceed \$425,810 from Capital Outlay Fund 30245, CIP-63-002, Annual Allocation - Replacement Obsolete Traffic Signal Controller, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

(BID-9589)

CITY MANAGER SUPPORTING INFORMATION: This Capital Improvements Program Project replaces 25 obsolete traffic signal controllers. Replacing the controllers will provide improved operational characteristics for controlling the safe passage of vehicles and pedestrians through the intersections.

Aud. Cert. 8800741.

FILE LOCATION: W.O. 118761 CONT - DBX Inc. CONTFY88-1

COUNCIL ACTION: (Tape location: G204-312.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-108: (R-88-1535) ADOPTED AS RESOLUTION R-270564
19880321

Inviting bids for the Improvement of Tierrasanta Boulevard between Santo Road Westerly to I-15 on Work Order No. 119017; authorizing the execution of a contract with the lowest responsible bidder for the above improvement; authorizing the execution of an agreement with the Navy to provide \$90,150 to share the cost for the Improvement of Tierrasanta Boulevard between Santo Road Westerly to I-15; authorizing the expenditure of an amount not to exceed \$260,150 (\$170,000 from FBA Fund 79005 and \$90,150 from Fund 63022 Navy agreement) from CIP-52-367, Tierrasanta Boulevard - Santo Road Westerly to I-15, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-9590)
(Tierrasanta Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: In this project the southern portion of Tierrasanta Boulevard west of Santo Road will be reconstructed to improve its appearance, as well as provide for safer traffic flow. The work consists of removing a temporary berm, widening the road by ten feet, and reconstruction of the traffic signal at Tierrasanta Boulevard and Santo Road. The project will improve approximately 1,500 feet of Tierrasanta Boulevard west of Santo Road.

Aud. Cert. 8800786.

FILE LOCATION: W.O. 119017 CONT - ABC Construction Co.,
Inc. CONTFY88-2

COUNCIL ACTION: (Tape location: G204-312.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

19880321

* ITEM-109: (R-88-1539) ADOPTED AS RESOLUTION R-270565

Inviting bids for the Construction of Traffic Signal and Street Lighting Systems at Alta View Drive and Woodman Street and at El Cajon Boulevard and Marlborough Avenue on Work Order No. 119025; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$206,100 from Capital Outlay Fund 30245, CIP-61-001, Annual Allocation - Signal Installations to Accommodate Sudden Traffic Changes, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in CIP-61-001, Annual Allocation - Signal Installations to Accommodate Sudden Traffic Changes. (BID-9595) (Mid-City and South Bay Terraces Community Areas. Districts-3 and 4.)

CITY MANAGER SUPPORTING INFORMATION: An increase in traffic volumes at both intersections and an increase in the number of traffic accidents at El Cajon Boulevard and Marlborough Avenue makes it desirable to place traffic signals at the subject locations to provide for the safe passage of emergency vehicles, pedestrians and other vehicles through the intersections. Aud. Cert. 8800628.

FILE LOCATION: W.O. 119025 CONT - MCR Electrical Contractors Inc. CONTFY88-1

COUNCIL ACTION: (Tape location: G204-312.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-110:

Two actions relative to the final subdivision map of Carmel Mountain Ranch Unit No. 17, a 127-lot subdivision located northeasterly of North City Parkway and Rancho Carmel Drive: (Carmel Mountain Ranch Community Area. District-1.)

Subitem-A: (R-88-1720) ADOPTED AS RESOLUTION R-270566
Authorizing the execution of a Subdivision Improvement
Agreement with Carmel Mountain Ranch for the installation
and completion of public improvements.

Subitem-B: (R-88-1719) ADOPTED AS RESOLUTION R-270567
Approving the final map.

FILE LOCATION: SUBD - Carmel Mountain Ranch Unit No. 17
CONTFY88-1

COUNCIL ACTION: (Tape location: G204-312.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Henderson. Passed
by the following vote: Wolfsheimer-yea, Roberts-not present,
McColl-yea, Pratt-not present, Struiksma-not present,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-111: (R-88-1757) ADOPTED AS RESOLUTION R-270568

Authorizing the City Manager to do the following:

1. Transfer \$190,444.56 from the SR Mitigation (10142)
Fund to the SR Acquisition (10141) Fund;
2. Transfer \$190,444.56 from the SR Acquisition (10141)
Fund to the Southeast Economic Development Project
Budget, Fund 98330, Dept. 97162 and pay \$95,222.28 in
each of the first two calendar quarters of 1988 as
purchase installment payments to the State of
California;
3. Transfer \$250,000 from the SR Mitigation (10142) Fund
to the Southeast Economic Development Corporation's
Southcrest Redevelopment Project Budget, Fund 98330,
97162 and pay \$250,000 for mitigation payments due to
National City in Calendar Year 1988.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: The City Council has in
the past allocated a total of \$2.2 million in general City
revenues for both the purchase of the SR 252 right-of-way and
related mitigation payments to National City. Approximately one
half of that amount remains unexpended at this time. The
actions proposed would authorize payment from this unexpended
balance of the \$250,000 mitigation payment to National City for
1988 as well as purchase installment payments to the State of
California totaling \$190,444.56 for the first two quarters of
Calendar Year 1988.

Aud. Cert. 8800805.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G204-312.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-112: (R-88-1708) ADOPTED AS RESOLUTION R-270569

Authorizing the City Manager to submit an application to the United States Department of Housing and Urban Development in order to have \$29,000 in Emergency Shelter Grant money set aside for use by the City of San Diego.

CITY MANAGER SUPPORTING INFORMATION: Under the provisions of the Homeless Assistance Act, Community Development Block Grant (CDBG) Entitlement cities are eligible to receive grant awards to assist the homeless population in their jurisdiction. The City of San Diego has applied for our designated portion of Emergency Shelter Grant (ESG) monies as funding became available. The first grant application submitted to HUD was approved, a RFP was developed, and Episcopal Community Services (ECS) was awarded a \$36,000 contract to provide emergency shelter in the downtown area. Services provided by ECS will run through September, 1988. The City submitted a second application to receive \$179,000 of ESG in September, 1987. HUD approved the application, a RFP was developed, and the City Manager's recommendation a to the emergency shelter provider utilizing these funds will be before Council in March, 1988. Today's action would authorize the City Manager to submit an application to HUD requesting that the City of San Diego's portion (\$29,000) of the third round of ESG funding be reserved for use in our area. All Entitlement cities receive a "fixed" percentage of ESG monies available in accordance with their annual CDBG Entitlement. The grant award is lower this year because the total amount of ESG funds available were reduced. We will seek a nonprofit agency to provide emergency shelter services via the "Request for Proposal" (RFP) process. Final disposition or award of the funds will come before the City Council for approval.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G204-312.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-113: (R-88-1743) ADOPTED AS RESOLUTION R-270570

A Resolution approved by the City Council in Closed Session on Tuesday, January 26, 1988 by the following vote:
Wolfsheimer-yea; Roberts-yea; McColl-yea; Pratt-yea;
Struiksma-yea; Henderson-yea; McCarty-yea; Filner-yea;
Mayor-yea.

Authorizing the City Manager to pay the total sum of \$440,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to Robin Smith and Suzanne Gillick (Superior Court Case No. 524205, Robin Smith and Suzanne Gillick, et al. v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$440,000 made payable to Robin Smith and Suzanne Gillick and Glenn Warren, their attorney, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This is the complete and final settlement of all claims against the City of San Diego as a result of an incident which occurred on December 10, 1983.

Aud. Cert. 8800810.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G204-312.)

CONSENT MOTION BY MCCOLL TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-114: (R-88-1697) ADOPTED AS RESOLUTION R-270571

Authorizing the execution of a contractual agreement with the County of San Diego to accept the contribution of \$100,000 from the County in exchange for the City constructing and operating a Day Center for the Homeless; authorizing the City Auditor and Comptroller to deposit an amount not to exceed \$100,000 (Contributed by the County), in Capital Improvement Project CIP-39-106.0, San Diego Day Center.

CITY MANAGER SUPPORTING INFORMATION: On August 3, 1987 the City Council authorized the City Manager to negotiate with the California Department of Transportation (CalTrans), on behalf of the Regional Task Force on the Homeless, to lease a parcel of property on 17th Street between K and L Streets for the construction of a Day Center for the Homeless. On November 30, 1987 Council approved an amendment to the Fiscal Year 1987-88 Budget Ordinance which authorized the City Manager to accept \$78,000 from the Redevelopment Agency, and appropriate these

funds along with a total of \$47,000 in Community Development Block Grant (CDBG) funds for the construction of Capital Improvement Project CIP-39-106.0, the San Diego Day Center for the Homeless. The San Diego Unified Port District on March 7, 1988 entered into an agreement with the City which stated they would contribute \$100,000 toward the construction of the Day Center. On March 15, 1988 the County also approved a \$100,000 contribution towards the Day Center. The Manager is requesting authorization to execute a contract with the County of San Diego accepting the contribution, and to deposit the funds in the established CIP project. This action completes the acquisition of financing for the project.

FILE LOCATION: MEET CONTFY88-1

COUNCIL ACTION: (Tape location: G204-312.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-115: (R-88-1765) ADOPTED AS RESOLUTION R-270572

Authorizing the execution of an agreement with Frederic R. Harris, Inc. for optimization of traffic signal timing at 79 signalized intersections in five separate traffic signal systems within the City; authorizing the expenditure of an amount not to exceed \$70,473 from CIP-62-300, Signal Timing Optimization Program, for the purpose of providing funds for the above project.

(La Jolla, University, Mira Mesa and Kearny Mesa Community Areas. Districts-1 and 5.)

CITY MANAGER SUPPORTING INFORMATION: On February 8, 1988, the City Council authorized the City Manager to accept and execute an agreement for a grant from the California Department of Transportation to optimize the signal timing at 79 signalized intersections along five traffic signal systems within the City. Grant funds in the amount of \$74,900 have been approved. The magnitude of this project and time constraints of the grant make it necessary to utilize a consultant to provide technical assistance to staff. Advertisements for the consultant services appear in the San Diego Transcript. In addition, RFP's were mailed to consulting firms. Six consultants submitted proposals for the grant project and were interviewed in conformance with Council Policy 300-7 and Administrative Regulation 25.70. A consultant selection was made based on technical qualifications and past performance with the City. The firm of Frederic R.

Harris, Inc., was selected as the recommended consultant. Their proposal cost was \$70,473.

Aud. Cert. 8800798

FILE LOCATION: MEET CONTFY88-1

COUNCIL ACTION: (Tape location: G204-312.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-116: (R-88-1701) ADOPTED AS RESOLUTION R-270573

Authorizing the execution of an agreement with Luke-Dudek Civil Engineers, Inc., for annual engineering consultant services, as needed, for the Water Utilities Department; authorizing the expenditure of an amount not to exceed \$50,000 from the Water Operating Fund (41500), Water Operations Engineering Program (70830) and \$50,000 from the Sewer Revenue Fund (41506), Sewer Operations Engineering Program (70820) for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: On September 30, 1987, an advertisement was placed in the San Diego Daily Transcript for annual engineering consultant services to be provided, as needed, for the Water Utilities Department. These services include municipal water supply and wastewater treatment, civil, electrical and corrosion engineering and economic and financial analysis. The City's Consultant Nominating Committee reviewed thirteen letters of interest from qualified consultants and nominated four of them for final interviews. On November 18, 1987, the four finalists were interviewed by a consultant selection committee comprised of personnel from the Water Utilities Department. The interviews were conducted in conformance with Council Policy 300-7. The firm of Luke-Dudek was selected as best qualified to provide the consultant services. The agreement will provide for the services by task orders on an hourly fee basis not to exceed \$10,000 per task. The total contract shall not exceed \$100,000 and will terminate one year from the date of execution. The annual consultant is needed by the Water Utilities Department due to the present large work load and the necessity of having specialized expertise available to staff.

Aud. Cert. 8800750.

WU-U-88-095.

FILE LOCATION: MEET CCONTFY88-1

COUNCIL ACTION: (Tape location: G204-312.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-117: (R-88-1678) ADOPTED AS RESOLUTION R-270574

Authorizing the execution of an agreement with Pardee Construction Company for the construction of El Camino Real between North City West and the San Dieguito River Bridge.

(North City West Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The Council adopted Public Facilities Financing Plan and Facilities Benefit Assessment for North City West which provides for the construction of El Camino Real north from the northern boundary of North City West to the San Dieguito River Bridge. The project involves grading for a future four lane primary arterial and installing paving for two lanes of El Camino Real. All work has been completed. The purpose of this agreement is to fix the construction price for the work done and to establish a credit system to compensate Pardee with Facilities Benefit Assessment (FBA) credits for that work. The agreement establishes the value for all design, construction and contract administration work for the project as \$3,249,022. These costs are less than what would have resulted if the City had administered the project. All right-of-way required for this project has been previously acquired by the City, using FBA funds programmed in the North City West Public Facilities Financing Plan for that purpose.

FILE LOCATION: MEET CONTFY88-1

COUNCIL ACTION: (Tape location: G204-312.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-ineligible, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-118: (R-88-1763) ADOPTED AS RESOLUTION R-270575

Approving Change Order No. 1, dated January 26, 1988, issued in connection with the contract between the City of San Diego and Chilcote Construction Company, said contract having been filed in the Office of the City Clerk as Document No. RR-268659, for the construction of the First

San Diego River Improvement Project (FSDRIP); approving said Change Order amounting to a net increase in the contract price of \$29,623.42.

(Mission Valley Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On June 23, 1987, the City Council awarded a construction contract for \$20,798,482.42 to Chilcote, Inc., for the construction of the First San Diego River Improvement Project (FSDRIP). This flood protection project will construct an earthen channel with landscaping from State Route 163 to Stadium Way and construct a 78-inch interceptor sewer. The flood control project is funded by an assessment district while the sewer is funded by the City's Water Utilities Department, CIP-43-033.0 (North Mission Valley Interceptor Sewer). Change Order No. 1 is due to conditions encountered during construction of the 78-inch sewer which requires adjustments in payments to the contractor. These changes are necessary to assure proper construction of the sewer and for compatibility with the FSDRIP flood control project. Principal changes include relocation of a four-inch gas main found to be in conflict with the necessary alignment of the sewer, and additional cutoff walls where the sewer crosses Stadium Way in order to guarantee the integrity of the Stadium Way channel crossing structure.

Aud. Cert. 8800812.

WU-E-88-110.

FILE LOCATION: STRT D-2256

COUNCIL ACTION: (Tape location: G204-312.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-119: (R-88-1770) ADOPTED AS RESOLUTION R-270576

Excusing Council Member J. Bruce Henderson from attending all regularly scheduled Council meetings and Committee meetings for the period of April 4 through April 13, 1988, for the purpose of attending to City business, while on a trade mission, at his own expense and at no cost to the City of San Diego, to Singapore, Indonesia and Malaysia.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G204-312.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-not present, Struiksma-not present,

Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-120: (R-88-1782) ADOPTED AS RESOLUTION R-270577

Declaring Saturday, April 2, 1988 to be "Lake Murray Kids Fishing Derby Day;" waving permit fees required to engage in fishing at Lake Murray for children on Saturday, April 2, 1988.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G204-312.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-150: (R-88-1741) TRAILED TO TUESDAY, MARCH 22, 1988 AT 10:00 A.M.

Authorizing the execution of an agreement with Trabajadores De La Raza, Inc., to operate the Casa Familiar Project as recommended by the Public Services and Safety Committee on February 3, 1988; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$45,000 from CDBG Fund 18524, Department 5668, Organization 6801 (Contingencies) to Fund 18524, Department 5664, Organization 6402 (Social Service Project - Casa Familiar); authorizing the expenditure of an amount not to exceed \$45,000 from Fund 18524, Department 5664, Organization 6402 (Social Service Project - Casa Familiar) for the purpose of providing funds for the above program.
(See City Manager Report CMR-88-82.)

COMMITTEE ACTION: Reviewed by PSS on 2/3/88. Recommendation to approve an agreement with Trabajadores De La Raza, Inc. from March through June on the condition that they receive management assistance from the San Diego Community Foundation. Districts 2, 3, 4 and 6 voted yea. District 7 voted nay.

CITY MANAGER SUPPORTING INFORMATION: On February 3, 1988 the Public Services and Safety Committee recommended, on a 4 to 1 vote, to provide \$45,000 in interim, emergency funding to Casa Familiar so as to enable them to continue offering services to their clients during the period March 1, 1988 to June 30, 1988. Casa Familiar is a social service program that provides counseling, interpretation/translation, emergency food and community education services to the residents of the San Ysidro area.

Aud. Cert. 8800764.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: G350-409.)

MOTION BY FILNER TO TRAIL THE ITEM TO TUESDAY, MARCH 22, 1988 AT 10:00 A.M. Second by Henderson. Failed by the following vote:

Wolfsheimer-yea, Roberts-not present, McColl-not present,

Pratt-not present, Struiksma-not present, Henderson-yea,

McCarty-nay, Filner-yea, Mayor O'Connor-yea.

Motion trailed to the next meeting due to a lack of five votes.

ITEM-151: (R-88-1471) ADOPTED AS RESOLUTION R-270578

Authorizing the execution of an agreement with Wheelabrator Environmental Systems, Inc., Recovery Sciences, Inc., Regional Environmental Consultants and Planning Research Corporation for the assignment of the preparation of a recycling options study; authorizing the execution of a consultant agreement with Recovery Sciences, Inc. to modify a recycling options study and integrate the results of a waste composition study into a comprehensive five year recycling plan; authorizing the expenditure of an amount not to exceed \$8,000 from Fund 100, Dept. 590, Org. 101, Account No. 4222, for the purpose of providing funds for the execution of the above agreements; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

(See City Manager Report CMR-88-41.)

COMMITTEE ACTION: Reviewed by PSS on 1/20/88. Recommendation to approve the City Manager's recommendation. Districts 3, 4, 6 and 7 voted yea. District 2 not present.

Aud. Cert. 8800675.

FILE LOCATION: MEET CCONFY88-3

COUNCIL ACTION: (Tape location: G204-312.)

MOTION BY McCOLL TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present,

McColl-yea, Pratt-not present, Struiksma-not present,

Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-200: (O-88-25) CONTINUED TO APRIL 4, 1988

(Continued from the meetings of January 4, 1988, Item 52, and March 7, 1988, Item 200; last continued at Council Member Struiksma's request, to come to accord with the jitney industry.)

Amending Chapter VII, Article 5, Division 6, of the San Diego Municipal Code by amending Sections 75.0602, 75.0603, 75.0604 and 75.0605 relating to Jitney Routes to allow jitney staging areas, and requiring new jitney vehicles and all routes to serve the public convenience.

(Introduced on 11/30/87. Council voted 5-1. District 2 voted nay. District 1 and Mayor not present. District 4 vacant.)

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A390-513.)

MOTION BY McCOLL TO CONTINUE TO APRIL 4, 1988 AT THE REQUEST OF THE CITY MANAGER TO ALLOW HIM TIME TO FINALIZE NEGOTIATIONS WITH THE JITNEY INDUSTRY. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (O-88-54) TRAILED TO TUESDAY, MARCH 22, 1988 DUE TO LACK OF TIME

(Continued from the meetings of October 19, 1987, Item 51, January 11, 1988, Item 201, February 8, 1988, Item 201, and March 7, 1988, Item 203; last continued at Council Member Struiksma's request, to be taken in consideration with the designation of Parcel 455-Area C.)

Introduction of an Ordinance amending Section 1 of Ordinance O-16203 (New Series), adopted May 14, 1984, incorporating a portion of Pueblo Lot 1101, Miscellaneous Map-36, a 1.6-acre site located on the north side of Friars Road, between Napa and Benicia Streets, into CO Zone; extension of time to June 14, 1990.

(See Planning Department Report PDR-87-432. Case-87-0267/EOT1. Linda Vista Community Area. District-5.)

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: G390-409.)

ITEM-202: (R-88-1755) ADOPTED AS RESOLUTION R-270579

Affirming the City of San Diego's active participation in, and the encouragement of, the Living Unit Concept for the Joint Venture for Affordable Housing Program.

(See Planning Department Report PDR-88-013.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G390-409.)

MOTION BY McCARTY TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-not present, Pratt-not present, Struiksmma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-203: (R-88-1711) ADOPTED AS RESOLUTION R-270580

Authorizing the execution of an agreement with Science Applications International Corporation, for preparation of an Air Quality Solid Waste Assessment Test Report at South Chollas and Arizona Street Landfills; authorizing the expenditure of an amount not to exceed \$65,000 from Capital Outlay Fund 30245, CIP-37-250.7, Methane/Leachate Control-Sanitary Landfill Sites, for the purpose of providing funds for the execution of the above agreement; authorizing the City Auditor and Comptroller upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (Balboa Park and Mid-City Community Areas. Districts-3 and 8.)

CITY MANAGER SUPPORTING INFORMATION: In September 1985, Assembly Bill 3525 (Calderon) was signed into law. AB 3525 requires landfill operators to conduct a Solid Waste Assessment Test (SWAT) on all current and former refuse disposal sites for potential air contaminants. The Air Pollution Control District (APCD) is the designated enforcement agency which has established the guidelines for the preparation of the SWAT Report. An advertisement was placed July 24, 1987, in the San Diego Transcript requesting consultant services for Landfill Gas Analysis and Evaluation of Effects on Ambient Air and Gas Migration. The City's Consultant Nominating Committee then selected and short listed a total of five (5) firms. The General Services Department then solicited proposals from these short listed firms for complying with AB 3525 and the APCD guidelines. A selection committee was created to evaluate the proposals and interview the prospective consultants for the South Chollas and Arizona Street Landfills. This committee has selected Science Applications International Corporation as the recommended consultant on the basis of their qualifying interview, and their previous experience assessing other landfills.

Aud. Cert. 8800804.

FILE LOCATION: MEET CCONFY88-1

COUNCIL ACTION: (Tape location: G204-312.)

MOTION BY McCOLL TO ADOPT. Second by Henderson. Passed by the

following vote: Wolfsheimer-yea, Roberts-not present,
McColl-yea, Pratt-not present, Struiksma-not present,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-204: (R-88-1695) ADOPTED AS RESOLUTION R-270581

Authorizing the execution of an agreement with Wallace
Roberts and Todd to provide consulting services in
conjunction with the San Diego Bay - Balboa Park Link
Centre City Linkages Project; authorizing the expenditure
of an amount not to exceed \$57,000 for the purpose of
providing funds for the above project.
(Centre City Community Area. Districts-2 and 8.)
Aud. Cert. 880659.

NOTE: See Item 207 of Monday, March 21, 1988 and Item 341 of
Tuesday, March 22, 1988 for companion items.

FILE LOCATION: MEET CCONFY88-1

COUNCIL ACTION: (Tape location: G409-444.)

MOTION BY FILNER TO ADOPT ITEM-204 AND TO APPROVE THE FIRST
HEARING OF ITEM-207. Second by Henderson. Passed by the
following vote: Wolfsheimer-yea, Roberts-not present,
McColl-not present, Pratt-not present, Struiksma-not present,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-205: (1) CONTINUED THE VESTED RIGHTS ISSUE TO APRIL 18,
1988; (2) TRAILED TO TUESDAY, MARCH 22, 1988.

Matter of:

Taking testimony with regards to the Proposition G
Initiative and a public hearing in accordance with Section
6 of Proposition G relating to Mission Beach (Belmont) Park
to determine whether the following projects have vested
rights:

- 1) The Belmont Park Redevelopment project; and
- 2) Commercial operation of the Roller Coaster.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A513-F502.)

Hearing began at 2:42 p.m. and halted at 6:06 p.m.
Testimony in favor of

Subitem 1, Belmont Park Redevelopment
Project, by Craig Beam, Steven Wall, Steven Davis and Frisco
White.
Testimony in favor of

Subitem 2, Commercial operation of the

Roller Coaster, by Loch David Crane, Carol Lindemulder, Norman Starr, Don Reeves, Milford Wayne Donaldson, Stewart Eisen, Judith Swink and Martin Desrochers.

Testimony in opposition to

Subitem 1, by Terry Curren, Rodney

Smith, Harold Becker, Dan Hamel, Andre' Zeehandelaar, Don Patterson, Stewart Eisen, Bob Oillie, Fred Thompson, Judith Swink, Carol Havlet, Rose Leete, Hellen Duffy, Kathy Scott and Eric Williamson.

Testimony for factual clarification by Dr. J. William of the County of San Diego Health Services Department.

MOTION BY WOLFSHEIMER TO REFER THE QUESTION OF BAD FAITH IN THE CONTRACT BETWEEN THE CITY AND BELMONT PARK ASSOCIATES TO THE CITY ATTORNEY. Second by Roberts. Passed by the following

vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY HENDERSON TO DIRECT THE CITY ATTORNEY TO INCORPORATE HIS LANGUAGE INTO A RESOLUTION THAT WOULD PUT THE ROLLER COASTER BACK INTO OPERATION. BRING THIS RESOLUTION FORWARD ON TUESDAY, MARCH 22, 1988 FOR ADOPTION. Second by Roberts. Passed by the

following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY WOLFSHEIMER TO DIRECT THE CITY ATTORNEY TO PRESENT TO COUNCIL AN ATTORNEY'S OPINION PRESENTING THE CASE LAW RELATING TO VESTED RIGHTS. Second by O'Connor. Failed by the following

vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-nay, McCarty-nay, Filner-nay, Mayor O'Connor-yea.

Motion trailed to the next meeting due to lack of five votes.

MOTION BY McCOLL TO SUSPEND THE RULES AND EXTEND THE MEETING PAST 5:30 P.M. Second by Henderson. Passed by the following

vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY HENDERSON TO FIND THAT BELMONT PARK ASSOCIATES IS VESTED IN ACCORDANCE WITH PROPOSITION G OF NOVEMBER 3, 1987.

Second by McCarty. Motion withdrawn.

MOTION BY McCOLL TO CONTINUE THE VESTED RIGHTS ISSUE TO APRIL 18, 1988. Second by Roberts. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea,

Mayor O'Connor-yea.

ITEM-206: (R-88-) REFERRED TO PUBLIC FACILITIES AND
RECREATION COMMITTEE

(Continued from the meetings of September 28, 1987, Item 113, January 19, 1988, Item S406, January 26, 1988, Item S501, February 16, 1988, Item 335 and March 7, 1988, Item 212; last continued at Council Member Struiksma's request, for further review.)

NOTE: On March 7, 1988, Council approved the recommendations for Site 20 - Area C, and Site 20 - Area D.

Approving the Public Facilities and Recreation Committee's recommendations on City-owned Site numbered 455 - Area C; declaring that the City Council in no way intends to bind itself to utilize the property in accordance with the designation, and the Council specifically intends to be able to change the designation at any time or utilize the property for any purpose determined to be in the best interest of the City at the sole discretion of the Council; declaring that this designation serves simply and exclusively as a tentative guide to the City staff with regard to potential use of vacant City-owned land and that it is the Council's intent that this designation and past designations of this nature have no legal or binding effect whatsoever beyond serving as a tentative guide to such staff.

(See City Manager Report CMR-87-433.)

COMMITTEE ACTION: Reviewed by PFR on 9/9/87. Recommendation to approve the City Manager's recommendations on designations on Sites 455 - Area C, 20 - Area C, 20 - Area D. The Committee referred Site 23A back to the City Manager. Districts 2, 3, 7 and 8 voted yea. District 5 not present.

NOTE: On 9/28/87 Council voted 8-0 (District 4 vacant) to approve only the Lakeside property (Site 57).

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A463-513.)

MOTION BY STRUIKSMA TO REFER ITEM TO THE PUBLIC FACILITIES AND RECREATION COMMITTEE FOR REVIEW. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-207: (O-88-128) FIRST HEARING APPROVED

First public hearing in the matter of:

Amending Ordinance O-16916 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1987-88 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-16916-1, as amended and adopted therein, by amending the non-personnel authorization of the Planning Department (065) by adding the sum of \$15,000 to program element (06510) for expenses related to the San Diego Bay-Balboa Park Link, Centre City Linkage Project; authorizing the Auditor and Comptroller to transfer to the General Fund 100, Planning Department (065) appropriating the sum of \$15,000 from unanticipated reimbursement revenues from the Centre City Development Corporation (DP 125859) and increase said department's appropriation accordingly; authorizing the Auditor and Comptroller and the Planning Director to expend an amount not to exceed \$15,000 for the purposes specified in the project.

PLANNING DIRECTOR REPORT: This budget adjustment will appropriate the unanticipated \$15,000 contribution from CCDC to the City for the San Diego Bay-Balboa Park Linkage Study. These funds will be used to pay a portion of the cost for the study. See companion item, San Diego Bay-Balboa Park Linkage Project. Consultant selection for additional information on the project. Aud. Cert. 8800693.

NOTE: See Item 204 for a companion item and see Item 341 of Tuesday, March 22, 1988 for the introduction and adoption of the Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G409-444.)

MOTION BY FILNER TO ADOPT ITEM-204 AND TO APPROVE THE FIRST HEARING OF ITEM-207. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-not present, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S400: (R-88-1789) ADOPTED AS RESOLUTION R-270582

Recognizing and commending James E. King for his effort and time spent toward the betterment and future of Mission Trails Regional Park.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A324-370.)

MOTION BY STRUIKSMA TO ADOPT ITEM-S400 AND ITEM-S401. Second by Henderson. Passed by the following vote: Wolfsheimer-yea,

Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S401: (R-88-1739) ADOPTED AS RESOLUTION R-270583

Recognizing and commending John B. McNeece III for his
effort and time spent toward the betterment and future of
Mission Trails Regional Park.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A324-370.)

MOTION BY STRUIKSMA TO ADOPT ITEM-S400 AND ITEM-S401. Second by
Henderson. Passed by the following vote: Wolfsheimer-yea,
Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S402: (R-88-1748) ADOPTED AS RESOLUTION R-270584

Authorizing the City Manager to permit an exhibition game
at San Diego Jack Murphy Stadium between the San Diego
Padres and San Diego State University to be played on
April 1, 1988, for which no admission fee will be charged
on tickets distributed prior to the game; waiving the ten
percent rental fee on \$1.00 tickets sold on the night of
the game.

CITY MANAGER SUPPORTING INFORMATION: On February 10, 1988,
the San Diego Padres requested permission to allow free
admission and waive the ten percent rental fee on \$1.00 tickets
sold for the 9th annual exhibition game with San Diego State
University on April 1, 1988. The Padres plan on donating all
net revenues from the game to the San Diego State University
baseball program. The City's game expenses will be offset by
the City's share of parking revenues. This is the same formula
approved by the City Council since 1984. At the March 3, 1988
San Diego Stadium Authority Board of Governors meeting, the
Board recommended approval of this action.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G204-312.)

CONSENT MOTION BY MCCOLL TO ADOPT. Second by Henderson. Passed
by the following vote: Wolfsheimer-yea, Roberts-not present,
McColl-yea, Pratt-not present, Struiksma-not present,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S403: (R-88-1707) TRAILED TO TUESDAY, MARCH 22, 1988 DUE
TO LACK OF TIME

(Continued from the meetings of March 7, 1988, Item S400, and March 14, 1988, Item S400; last continued at the City Manager's request, to allow time for Council to review the material.)

Authorizing the execution of an agreement with James M. Montgomery, Consulting Engineers, Inc., for professional consultant services to provide Program Management and Engineering Services for planning the modification and enlargement of the Metropolitan Sewerage System; authorizing the expenditure of an amount not to exceed \$2,710,968 from CIP-46-147.0, Modified Wastewater Treatment Facilities Plan, Sewer Revenue Fund (41506) for the purpose of providing funds for the above project to cover the first contract period; authorizing the execution of an agreement with Management Analysis Company (MAC), for professional consultant services to provide assistance with Program Management negotiations; authorizing the expenditure of an amount not to exceed \$10,000 from CIP-46-147.0, Modified Wastewater Treatment Facilities Plan, Sewer Revenue Fund (41506), for the purpose of executing the agreement with MAC; authorizing the expenditure of an amount not to exceed \$328,700 from CIP-46-147.0, Modified Wastewater Treatment Facilities Plan, Sewer Revenue Fund (41506), for the purpose of obtaining data processing and telecommunications services to support the above agreements.

(See City Manager Report CMR-88-129.)

COMMITTEE ACTION: Reviewed by PSS on 3/3/88. Recommendation to adopt the City Manager's recommendation with affirmation that project be based on water reclamation as the first priority.

Districts 2, 3, 4 and 6 voted yea. District 7 not present.

Aud. Cert. 8800803.

WU-U-88-109.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: G444-549.)

ITEM-S404: (R-88-1627) RETURNED TO THE CITY MANAGER

(Continued from the meeting of March 14, 1988, Item 121, at the City Manager's request, because no money has been identified for the construction phase of the design.)

Authorizing the execution of an agreement with James Robbins and Associates for professional design and related services for Fire Station No. 14 - Reconstruction; authorizing the expenditure of an amount not to exceed \$108,000 from CIP-33-058.1 for providing funds for the

above project.

(Park North-East Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: Capital Improvement

Project CIP-33-058.1 provides for the demolition of deteriorating Fire Station No. 14 at 32nd Street and Lincoln Avenue, and for design and construction of a new facility on the existing site, to house one engine, one aerial ladder truck, a Division Chief, and crew of eight firefighters. The existing building was constructed in 1943. Advertisement for Architectural Services were published in the Daily Transcript in September 1987. Of 38 firms responding, three were selected for further consideration by the Nominating Committee at their October 21st meeting. Interviews were conducted on November 19th with the firm of James Robbins and Associates being recommended to provide those professional services that exceed the capabilities of City staff. Fee negotiations were consummated on December 31st resulting in mutually acceptable terms and conditions which include a Base Fee of \$98,500 and Additional Services Contingency of \$9,500 (if needed). The Architect's responsibilities include soils investigation, plans and specifications for the new facility, and construction phase services. Consultants approved to assist with the project include Flores and Ng (Structural - 7.6 percent), M. Hetherington (Soils - 3.3 percent), M. Strum (Mechanical - 9.6 percent), Randall/Lamb (Electrical - 8.9 percent), D. Wilson (Landscape - 4.8 percent), Bement, Dainwood, Sturgeon (Civil - 3.4 percent), W. Kelly (Specs - 3.0 percent) and R. Hodgson (Estimator 3.0 percent).

Aud. Cert. 8800730.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A390-513.)

MOTION BY McCOLL TO RETURN ITEM TO THE CITY MANAGER AT HIS REQUEST UNTIL AFTER FUNDS ARE IDENTIFIED FOR CONSTRUCTION COSTS.

Second by Roberts. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S405: (R-88-1792) ADOPTED AS RESOLUTION R-270585

Declaring that the City Council approves in principle its support of and participation in the environmental and route adoption study for State Route 125 between Interstate 905 and San Miguel Road.

(See City Manager Report CMR-88-151.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G204-312.)

MOTION BY McCOLL TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S406: (R-88-1882) ADOPTED AS RESOLUTION R-270586

Authorizing the City Manager to accept the gift of Vernon E. Taylor and Mary F. Taylor designating the City of San Diego the beneficiary of a Life Insurance Policy valued at \$2,500,000.

CITY MANAGER SUPPORTING INFORMATION: The Council has previously approved a conceptual plan to acquire the Farnum School site from the San Diego Unified School District. Staff is currently finalizing the negotiations for this acquisition. Part of the funding to acquire the property is a gift from Vernon Taylor, a prominent Pacific Beach citizen, in the sum of \$1.25 million in property. In addition, Mr. Taylor has offered to designate the City of San Diego as the beneficiary of a Life Insurance Policy with a value of \$2.5 million. This resolution would authorize the City Manager to receive from Mr. Taylor the premium payment of \$81,895 annually (for seven years) and transmit them to the Manufacturers Life Insurance Company and to execute an assignment of beneficiaries from the Taylor Properties Trust to the City of San Diego. The proceeds from this policy will be used to assist in the construction of a new branch library on the Farnum site.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G204-312.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S407: (O-88-156) TRAILED TO TUESDAY, MARCH 22, 1988 DUE TO LACK OF TIME

Introduction of an Ordinance amending Chapter IV, Article 2, Division 4, of the San Diego Municipal Code by adding Sections 42.0400, 42.0401, 42.0402, 42.0403, 42.0404, 42.0405, 42.0406, 42.0407, 42.0408, 42.0409, 42.0410, 42.0411, 42.0412, 42.0413, 42.0414, 42.0415, 42.0416, 42.0417, 42.0418, 42.0419, 42.0420, 42.0421, 42.0422,

42.0423 and 42.0424 relating to Bathhouses.

(See City Manager Reports CMR-88-159 and CMR-88-126; and letter from George F. Bailey dated 2/16/88.)

COMMITTEE ACTION: Reviewed by PSS on 3/2/88. Recommendation to approve in concept and referred to the City Council.

Districts 2, 3, 4, 6 and 7 voted yea.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: F619-G204.)

Motion by Wolfsheimer to amend the ordinance to include the words touching, teeth and tongue. No Second.

ITEM-S408: (O-88-84 Rev.1) REFERRED TO RULES COMMITTEE

(Continued from the meeting of March 14, 1988, Item 51, at Mayor O'Connor's request, to address Council Member Wolfsheimer's concerns regarding the Ordinance.)

Introduction of an Ordinance amending Chapter II, Article 2, of the San Diego Municipal Code by amending Section 22.0101, entitled "Permanent Rules of the Council" by amending Rule 1 relating to Hours of Meetings, Rule 2 relating to Parliamentary Procedure, Rule 4, relating to Special Order of Business, Rule 17 relating to Conduct of Committee Business, and Rule 30 relating to preparation of the Council Docket.

(See the City Attorney's Report dated 3/2/88.)

COMMITTEE ACTION: Reviewed by RULES on 2/17/88. Recommendation to adopt the City Attorney's proposed amendments to Rules 1, 2, 4, 17 and 30 of the Permanent Rules of the Council. Districts 1, 2, 3, 7 and Mayor voted yea. District 1 voted nay regarding Rule 30.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: G450-600.)

MOTION BY WOLFSHEIMER TO REFER ITEM TO THE RULES COMMITTEE FOR REVIEW. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-not present, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S409: (R-88-1784) ADOPTED AS RESOLUTION R-270587

Authorizing the execution of an agreement on behalf of the City of San Diego and the City Heights Business Association, Inc. for the administration of the City Heights Business Improvement District; authorizing the City Manager to make an advance payment of \$6,400 for the above

purpose.

CITY MANAGER SUPPORTING INFORMATION: The City Heights Business Improvement District was established by Ordinance O-16918, adopted on August 3, 1987, to provide more efficient use of parking facilities, improve traffic circulation, pedestrian and urban amenities; and to promote the community through special events, marketing and advertising. The general boundaries of the district are 33rd Street on the west, Wightman Street on the south, 48th Street on the east, and Polk Avenue on the north. The program is financed by a special assessment upon businesses located within the area and collected annually by the City Treasurer with the Business License Tax. The assessment is based upon categories of benefit for those businesses located within the Business Improvement District. This action is to enter into a contract with the City Heights Business Improvement Association to accomplish the objectives of the District. The term of the agreement is March 1, 1988 to June 30, 1988.

FISCAL IMPACT: The District's FY 1988 estimated budget is \$19,250 which will cover the activities of the district for the term of the agreement. The funding source is a special assessment upon businesses located within the area.

Lockwood/Frazier/EL

Aud. Cert. 8800834.

FILE LOCATION: STRT L-8 CONTFY88-1

COUNCIL ACTION: (Tape location: G204-312.)

MOTION BY McCOLL TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S410: (O-88-159) TRAILED TO TUESDAY, MARCH 22, 1988 DUE TO LACK OF TIME

First public hearing in the matter of:

Amending O-16916 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1987-88 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-16916-1, as amended and adopted therein, by amending and adding to the personnel authorization of the Planning Department (065) Program Element 06541, one-quarter (0.25) Senior Planner position; authorizing the City Auditor and Comptroller to transfer the sum of \$18,813 within the General Fund 100 from the Unallocated Reserve (605) to the Planning Department (065) Program Element

06541, for the above position, allocating \$12,043 to Personnel Services, \$2,870 for overtime, and \$3,900 for non-personnel expenses, all related to amending the La Jolla Planned District Ordinance.

CITY MANAGER SUPPORTING INFORMATION: On Tuesday, March 15, 1988, the City Council directed the Planning Director to prepare and place on the Council Docket of March 21, 1988 an Appropriation Ordinance Amendment providing the necessary funds to immediately commence revisions to the la Jolla Planned District Ordinance (PDO). This ordinance will provide funding (\$18,813) for .25 Senior Planner, overtime and pool help, and related non personnel services. The work to be performed shall include analysing PDO revisions proposed by the City Council relating to reducing floor area ratio, deemphasizing commercial development, reducing residential densities, and reducing the height limit. The work shall require 60 days preceding a Council Hearing, and 30 days thereafter for follow-up tasks. Aud. Cert. 8800847.

NOTE: See Item S500 of Tuesday, March 22, 1988, for the introduction and adoption of the Ordinance.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: G600-630.)

ITEM-S411: (R-88-1873) CONTINUED TO APRIL 4, 1988

Authorizing the City Auditor and Comptroller to transfer the sum of \$50,000 from the General Fund 100, Unallocated Reserve (605) to the Allocated Reserve (901) for the sole and exclusive purpose of defraying expenses associated with support for an operation of the Charter Review Committee to consist of \$12,500 in Personnel Services related to services of an Executive Secretary and \$37,500 for Non-Personnel Services to include an allocation for outside legal counsel services.

COMMITTEE ACTION: Reviewed by RULES on 3/16/88. Recommendation to approve the funding. Districts 1, 2, 3, 7 and Mayor voted yea.

CITY MANAGER SUPPORTING INFORMATION: The Charter Review Committee, proposed by the Mayor, will require office space, clerical support and will incur operating expenses. It is estimated that the space rental and support for a six month period will be approximately \$50,000.

Aud. Cert. 8800836.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A452-463.)

MOTION BY HENDERSON TO CONTINUE ITEM-S411 AND ITEM-S412 TO APRIL 4, 1988 AT THE REQUEST OF THE MAYOR TO ALLOW THE ITEMS TO BE REVIEWED BY THE CHARTER REVIEW COMMITTEE. Second by Struiksmā.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksmā-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S412: (R-88-1899) CONTINUED TO APRIL 4, 1988

(Continued from the meeting of March 21, 1988, Item S412, at Mayor O'Connor's request, to allow time to be heard by the Charter Review Committee.)

Authorizing the City Attorney to execute a letter agreement with Robert S. Teaze for the purpose of providing legal consultant services to the Charter Review Committee.

(See memorandum from Mayor O'Connor dated 3/14/88.)

COMMITTEE ACTION: Initiated by RULES on 3/16/88.

Recommendation to enter into an agreement with Robert Teaze for consultant services to the Charter Review Committee. Districts 1, 2, 3, 7 and Mayor voted yea.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A452-463.)

MOTION BY HENDERSON TO CONTINUE ITEM-S411 AND ITEM-S412 TO APRIL 4, 1988 AT THE REQUEST OF THE MAYOR TO ALLOW THE ITEMS TO BE REVIEWED BY THE CHARTER REVIEW COMMITTEE. Second by Struiksmā.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksmā-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

NONE.

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Muhammad Abdullah on police misconduct.

ITEM-PC-2: REFERRED TO THE MAYOR'S OFFICE

Comments by Debra Fordham on Police Misconduct.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: H80-150.)

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor O'Connor at 7:28 p.m. in honor of the memory of Henry Matthew Faiivae, Joseph Swedelius, Sr., and Louis J. Rice, Jr.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H150).